

FILED

AO 240 (Rev. 6/86) Application to Proceed

## United States District Court

MAY 7 1996

DISTRICT OF

CLERK'S OFFICE U.S.  
COURT, SO. DIST.

Frederick S. Carter

APPLICATION TO PROCEED IN  
FORMA PAUPERIS, SUPPORTING  
DOCUMENTATION AND ORDER

CASE NUMBER:

5:96-0436

City of Gauley Bridge/  
Lee Jones - chief of policeI, Frederick S. Carter, declare that I am the (check appropriate box)☒ petitioner/plaintiff☐ movant (filing 28 U.S.C. 2255 motion)☐ respondent/defendant☐

other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

In further support of this application, I answer the following questions.

1. Are you presently employed?

Yes ☐No ☒

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received. 10/31/94 \$1,246

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment

Yes ☐No ☒

b. Rent payments, interest or dividends?

Yes ☐No ☒

c. Pensions, annuities or life insurance payments?

Yes ☐No ☒

d. Gifts or inheritances?

Yes ☐No ☒

e. Any other sources?

Yes ☒No ☐

AO 240 Reverse

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months. \$1,246 Compensation  
Ended months ago

3. Do you own any cash, or do you have money in checking or savings accounts? No income whatsoever at this time  
 Yes ☐ No ☒ (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?  
 Yes ☐ No ☒

If the answer is "yes," describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support. Wife,  
Step daughter, Stepson, Natural Daughter \$1,200 month when possible for all

I do hereby stipulate that the recovery, if any, secured or effected in this action shall be paid into the hands of the Clerk of the Court, who shall pay therefrom all unpaid costs taxed against plaintiff and remit the balance to the plaintiff or his attorney.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/16/96  
 (Date)

Frederick Carter  
 Signature of Applicant

### CERTIFICATE (Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ 17.65  
 on account to his credit at the Southern Regional Jail  
 institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution:

I further certify that during the last six months the applicant's average balance was \$ 10.00

**ENTERED**

MAY 8 1996

### ORDER OF COURT

CLERK'S OFFICE U.S. DIST.  
 COURT, SO. DIST. OF W. VA.  
 RONALD D. LAWSON, CLERK

by denied

United States Judge

Date

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

Mary P. Jennings 5-8-96  
 United States Judge  
 or Magistrate Date